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TO: Mail Stop AF, Commissioner for Patents, USPTO
ATTN: Examiner Neil Levy
Art Unit 1615

FAX #: 703-872-9306

FROM: Jacqueline S. Larson

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CONFIRMATION COPY TO FOLLOW: YES ___ NO X ___

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CERTIFICATE OF TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile under 37 C.F.R. § 1.8 to the facsimile number above on the date indicated below and is addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Date: May 9, 2005

J. Larson
Jacqueline S. Larson

In re Application of: Donald W. Kelley
Serial No.: 10/805,883

Atty. Docket No.: RDLN-006P
Filed On: 03/22/2004

Mail Stop AF
Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

The following is forwarded herewith for filing in the above referenced application:

- Request for Reconsideration re Finality of Office Action

Respectfully submitted,

Jacqueline S. Larson
Jacqueline S. Larson, Reg. No. 30,279
Attorney for Applicant(s)

Dated: May 9, 2005

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MAY 09 2005

Attorney Docket No. RDLN-006P

CERTIFICATE OF TRANSMISSION

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Date: May 9, 2005


Jacqueline S. LarsonIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Donald W. Kelley)

Serial No.: 10/805,883)

Art Unit: 1615)

Filed on: March 22, 2004)

Examiner: Levy, Neil S.)

For: Medical Balloon)

**REQUEST for RECONSIDERATION
under MPEP 706.07(d) –
Premature Finality of Office Action**

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests the Examiner to reconsider and to withdraw the finality of the Office Action mailed on May 5, 2005 in the above application, as it is believed that the finality is premature and has been incorrectly applied.

The present paper is submitted solely for the purpose of requesting reconsideration as to the propriety of the finality of the Official Action mailed May 5, 2005. Response to the substantive rejections in the Official Action will be timely filed at a later date.

REMARKS

Applicant respectfully requests reconsideration of the finality of the Office Action for the reason that it is premature and, thus, improper.